

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EMMA C., et al.,

Plaintiffs,

v.

DELAINE EASTIN, et al.,

Defendants.

NO. C96-4179 TEH

ORDER RE: PROCESS FOR  
MAKING ALLOCATION FOR  
FISCAL YEAR 2011-12

A new fiscal year will commence on July 1, 2011. The Court hopes that Defendants will be able to agree upon an equitable allocation for fiscal year 2011-2012 without intervention from the Court, in light of guidance provided by the Court's May 14, 2003 Order Re Initial Allocation, and their past successes in reaching agreement.<sup>1</sup> In the event that informal resolution is not possible, the Court will make an equitable allocation.

To facilitate the allocation process in a timely manner, the Court sets forth the following schedule:

1. By no later than Friday, April 1, 2011, Ravenswood and the Court Monitor shall each submit their respective proposed budgets to the Court and the parties.

2. The Defendants shall, as soon as possible thereafter, meet and confer in good faith to seek an agreement upon an equitable allocation for the fiscal year 2011-12.

3. Defendants shall, by no later than Friday, April 22, 2011, either file a joint statement setting forth an agreed upon allocation for fiscal year 2011-12 or, if no agreement has been reached, email the Court Monitor informing him they have not reached agreement and stating, without argument, the areas of disagreement. The parties shall then participate in

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<sup>1</sup> This allocation will cover two budgets: (1) the RSIP implementation budget, and (2) the Monitor's Office budget.

1 a mediation process led by the Court Monitor in order to attempt to resolve these areas of  
2 disagreement.

3 4. Defendants shall, by no later than Friday, May 6, 2011, file either a joint statement  
4 setting forth an agreed upon allocation for fiscal year 2011-12 or, if no agreement has been  
5 reached, separate opening briefs setting forth their respective positions with respect to an  
6 appropriate allocation.

7 5. If the parties have not reached agreement, Defendants shall respond to each other's  
8 opening briefs by no later than Friday, May 20, 2011. To the extent that Plaintiffs wish to  
9 address this matter, they may file comments responding to Defendants' opening briefs no  
10 later than May 20, 2011. The Court shall hold a hearing on the allocation issue, if necessary,  
11 on Wednesday, June 1, 2011, at 10 a.m.

12  
13 **IT IS SO ORDERED.**

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15 Dated: March 7, 2011



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THELTON E. HENDERSON, JUDGE  
UNITED STATES DISTRICT COURT